

August 3, 2017

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

RE: Contant, et al. v. Bank of America Corporation, et al., 17-cv-3139

Dear Judge Schofield:

The sixteen undersigned defendants respectfully write to request an extension of time for filing their joint memoranda of law in support of their Rule 12(b)(6) and Rule 12(b)(2) motions in the above-captioned *Contant* matter from August 4, 2017, to August 11, 2017.

Defendants request the extension in order to analyze and, as appropriate, address in a coordinated fashion, Your Honor's opinion issued earlier today in *Nypl v. JPMorgan Chase & Co., et al.*, No. 15-Civ-9300 (LGS), ECF No. 186. As Your Honor is aware, *Nypl* involves FX-based allegations against some of the same defendants named in *Contant*.

Defendants had previously requested a stay of the briefing schedule of the motion to dismiss an earlier-filed complaint in this action. (ECF No. 79) That request was made in anticipation of the consolidation of this action with a later-filed complaint in a separate action (*Lavender v. Bank of Am. Corp.*, No. 1:17-cv-04392, ECF No. 1). No previous time-extension request has been made with respect to the brief in support of defendants' motions to dismiss the resulting consolidated complaint.

We have contacted plaintiffs' counsel this afternoon and they consent to the request for an extension, provided that the briefing schedule (ECF No. 83) be amended as follows: the deadline for defendants' motions to dismiss would be extended from August 4, 2017 to August 11, 2017; the deadline for plaintiffs' oppositions would be extended from September 13, 2017 to September 27, 2017; and the deadline for defendants' joint replies would be extended from October 10, 2017 to October 24, 2017.

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